

COMMITTEE ON LANDS AND BUILDINGS

June 5, 2007

3:30 PM

Chairman Thibault called the meeting to order.

The Clerk called the roll.

Present: Aldermen Thibault, Smith, Forest, Roy, Long

Messrs.: P. Haederle, J. Minkarah

Chairman Thibault addressed Item 3 of the agenda:

3. Communication regarding changes requested relating to a license agreement between MHRAI, Inc. and Energy North Natural Gas, Inc. d/b/a KeySpan Energy Delivery New England.

On motion of Alderman Forest, duly seconded by Alderman Long, it was voted to discuss this item.

Alderman Long stated from what I see, the differences on the three conditions, one being the pre-soil and post-soil testing, the indemnification of the City and future purchaser, and the asphalt damage – loam instead of replacing the asphalt, and also the \$50,000 contribution for aesthetics or other improvements to the area surrounding the Riverwalk. Their new proposal was to...being cost prohibitive to do the Riverwalk relocation..

Alderman Lopez stated I just want a clarification so that in the future...The improvements around the Riverwalk has nothing to do with the boat ramping. That automatically is in your contract; is that correct?

Ms. Patricia Haederle, New England MGP Program Manager, stated the ramp that we're constructing as part of our project is not this \$50,000 improvement.

Alderman Lopez stated I just wanted to clarify that. Thank you very much.

On motion of Alderman Long, duly seconded by Alderman Smith, it was voted to approve this item.

Alderman Lopez asked Mr. Chairman, can I bring something to the Committee's attention?

Chairman Thibault responded please do.

Alderman Lopez stated I think you received the packet in reference to the purchase and sales lease agreement that was not in the original packet. Did everybody receive that?

Chairman Thibault stated yes I did, but I don't have it with me at the time. I do have it, yes. I'm sorry.

Alderman Lopez stated I just wanted to bring to your attention that I've had some discussion with the City Solicitor and Jay, and on Item 11.01 under Development. I was concerned that the authority was being taken away from the Aldermen and I confirmed that with the City Solicitor. He assured me that it does say that if it remains like that, so what I planned on doing tonight, and I wanted to make the Committee aware of it...I've spoken to some of the members...to include Alderman Long because he was designee as Ward 3 and he might have to be in on the Planning Board, and not be able to make a decision on the Planning Board. So, in Item 11.01 under Development, and Jay could probably help me out here, but subject to the approval of the Riverfront Committee...we have a special Committee on Riverfront. I don't mind the officers, the economic development and the finance officers and others, getting together. But when they run into problems they need a committee to go to. And I thought the Riverfront Committee. So I had some discussion with Alderman Roy and Alderman Long, and I'd like to have the Committee's blessing when we go into the full Board to change that to 'with the approval of the Riverfront Committee.' If they want to speak to it, the City Solicitor or Jay, that's fine.

Chairman Thibault asked do you want to speak to that at all?

Mr. Jay Minkarah, Economic Development Director, stated yes, I did discuss this with Alderman Lopez. We also discussed it at the staff level, and we have absolutely no problem with that amendment. We think it is appropriate.

Alderman Forest stated I have a comment, mainly because I received it late, Mike, and I'm sorry I didn't read it all, although I heard something about it today when I was visiting City Hall. The question I have is, the original...there are two Riverfront committees that were established, and they were both established by Bob Baines, okay. One was originally established in 2001, having to do with Riverfront development in itself. And then when the baseball talks were coming

in, there was a committee that was changed to what it is now, the Riverfront Baseball Committee and all that. And as far as I know, there is still that second committee out there. And if there isn't, I may be wrong. But why should the baseball development, that committee that you're on, include Jac Pac, which has nothing to do with the baseball or that area? That's why I'm asking you for an explanation on this.

Alderman Lopez stated first of all, there is only one committee. There's no two committees, because it's a special committee of the Board of Mayor and Aldermen which is authorized when the new Board takes over. So any other committee that has not been recognized no longer exists. The new committee on the Riverfront committee. And the idea is not just the baseball; we were for the hotel and Chinburg's property, which was doing the process of Chinburg's property and the Hands Across the River in that particular area. I think what we're saying here, and after talking to the City Solicitor and Jay, is that we don't want to give up our authority. They need somebody to go to because we know every development that comes down the pike, there's always changes. Jay, being the Economic Director, might have to come to us and tweak it a little bit, whatever the case may be as we move along in this process. We don't know what's going to happen when the final purchase and sales agreement is done with, and problems that we're going to run into, and that way we can screen out problems, the ones that we can approve; the ones we can't approve we'll bring to the full Board of Mayor and Aldermen. But there's only one committee.

Alderman Roy stated last week when we came to the meeting, we got the purchase and sales lease agreement, and there was a lot of review and comment as we were going. At that point I did make the motion that we include the Ward Alderman. After talking to Alderman Lopez, and knowing that ultimately this Board or whoever sits in these seats is the most responsible to the constituent. I fully agree with him. We should make it the Riverfront Committee to oversee this. And I can guarantee Alderman Long that that committee will be in consultation with him to make sure that his Ward is best represented in his fashion.

Chairman Thibault stated I have no problem with that.

Alderman Roy stated if you'd like, I can turn Alderman Lopez's request into a motion.

Chairman Thibault stated if you want to.

Alderman Long stated I could sit in on these Riverfront Committee meetings. I believe I would have to reclude myself from the Planning Board, and that would create a problem because I'm a Ward Alderman and I'd be advocating one way or

another. So it wouldn't be fair to be sitting on a Planning Board. I think it's the right move to send it over to the Riverfront Committee.

On motion of Alderman Roy, duly seconded by Alderman Long, it was voted to accept this amendment to the request.

Ms. Carol Johnson, Deputy City Clerk, asked are we still leaving the Ward 3 Alderman or his designee, as it was stated before, or are we removing that from the staff committee?

Alderman Roy responded removing that from the list of staff and replacing Ward 3 Alderman with Riverfront Committee, with approval of the full Board. Is that going to the full Board this evening?

Deputy City Clerk Johnson responded it's already on the Board's agenda as a report. I just want to make sure that I tell the Board what the amendment is going to be and clarify it correctly. If I'm understanding it correctly, the amendment is to put it subject to the approval of the Riverfront Committee, that the staff committee in essence meets subject to the approval of that committee and reports to that committee. And we will design something that accomplishes that in the contract.

Alderman Long stated just a clarification on the agenda for the BMA: Item J...does that include the...I see it as the three initiatives. Does that include the fifty...

Deputy City Clerk Johnson stated the \$50,000 was just acted upon. We will bring that in as a proposed amendment from the Committee this evening, and I will ask the chairman to make sure that both of those items are removed from the Consent Agenda for discussion, and ask that it be deferred to the Clerk.

Chairman Thibault stated I see Ken out there. Ken, do you have anything to add to this? No? You're all set? Very good.

There being no further business, on motion of Alderman Long, duly seconded by Alderman Roy it was voted to adjourn.

A True Record. Attest.

Clerk of Committee